

Jacob K. Danziger (SBN 278219)
ARENTFOX SCHIFF LLP
44 Montgomery Street, 38th Floor
San Francisco, CA 94104 United States
Telephone: (734) 222-1516
Facsimile: (415) 757-5501
jacob.danziger@afslaw.com

Beth A. Wilkinson (*pro hac vice*)
Rakesh N. Kilaru (*pro hac vice*)
Kieran Gostin (*pro hac vice*)
Calanthe Arat (SBN 349086)
Tamarra Matthews Johnson (*pro hac vice*)

WILKINSON STEKLOFF LLP
2001 M Street NW, 10th Floor
Washington, DC 20036
Telephone: (202) 847-4000
Facsimile: (202) 847-4005
bwilkinson@wilkinsonstekloff.com
rkilaru@wilkinsonstekloff.com
kgostin@wilkinsonstekloff.com
carat@wilkinsonstekloff.com
tmatthewsjohnson@wilkinsonstekloff.com

Attorneys for Defendant
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**DECLARATION OF RAKESH N.
KILARU IN SUPPORT OF
DEFENDANTS' OPPOSITION TO THE
STATE OF SOUTH DAKOTA'S MOTION
TO COMPEL**

Trial Date:
Judge: Hon. Claudia Wilken

1 I, Rakesh N. Kilaru, declare as follows:

- 2 1. I am a partner at the law firm of Wilkinson Stekloff LLP, and represent Defendant National
3 Collegiate Athletic Association in this litigation. I submit this declaration in support of
4 Defendants' Opposition to the State of South Dakota's Motion to Compel. I have personal
5 knowledge of the facts set forth in this declaration and, if called as a witness, could and
6 would testify competently thereto. I am admitted *pro hac vice* to practice before the United
7 States District Court for the Northern District of California in this litigation.
- 8 2. Attached hereto as Exhibit 1 is a true and correct copy of the Complaint in *South Dakota*
9 *v. NCAA*, 24-CV-320 (S.D. Cir. Ct.), filed on September 10, 2024.
- 10 3. Attached hereto as Exhibit 2 is a true and correct copy of the Notice of Class Action
11 Settlement Pursuant to 28 U.S.C § 1715 in *In re College Athlete NIL Litigation*, sent by
12 Defendants to the South Dakota Attorney General on August 5, 2024.
- 13 4. Attached hereto as Exhibit 3 is a true and correct copy of a letter I sent to South Dakota
14 Attorney General Marty J. Jackley on November 25, 2024.
- 15 5. Attached hereto as Exhibit 4 is a true and correct copy of five prior CAFA notices sent
16 by Defendants' counsel to attorneys general on June 2, 2023; October 28, 2020; January
17 16, 2019; October 26, 2015; and June 20, 2014.

18
19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing is true and correct.

21 EXECUTED on this 27th day of November 2024 in Washington, D.C.

22
23
24 Dated: November 27, 2024

Respectfully submitted,

25
26 /s/ Rakesh N. Kilaru
Rakesh N. Kilaru (admitted *pro hac vice*)